

[illegible]

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE DATE OF REQUEST 10-06-09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

Case Number 09-cv-1729 in the 212th Court of Galveston County, Texas

Type of service requested – please check each type when requesting multiple service documents

☒ Citation (serves copy of Petition)

☐ Precept (serves copy of a hearing/show cause order or other document)

☐ Temporary Restraining Order/Temporary Injunction

Other - please specify _____

ISSUE SERVICE TO:

Name Eddie Janek

By serving, it's _____

Address 7908 Channelview Drive

City, State, Zip Galveston, TX 77554

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☒ District Clerk to serve via certified mail return receipt requested

☐ Call Attorney for pick up @ phone number _____

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid 10/06/09 Amount/Method of payment check

Signature of attorney requesting issuance of service _____

**Service will not be issued without signature*

Galveston County
District Clerk
09 OCT -8 AM 11:25
J. R. [Signature]

11/8/09 m 1 ct @ \$8 by Cathi (S)

1st Amended Petition

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

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☐ Precept (serves copy of a hearing/show cause order or other document)

☐ Temporary Restraining Order/Temporary Injunction

/ Other - please specify _____

ISSUE SERVICE TO:

Name Vandy Anderson

By serving, it's _____

Address ~~6917xVxxWxxxxR~~ 6917 Weis Drive

City, State, Zip Galveston, TX 77551

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☒ District Clerk to serve via certified mail return receipt requested

☐ Call Attorney for pick up @ phone number _____

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid 10-06-09

Amount/Method of payment check

Signature of attorney requesting issuance of service

**Service will not be issued without signature*

09 OCT - 8 AM 11:24
DISTRICT CLERK
GALVESTON COUNTY, TX
[Signature]

11/4/09 ~ 1 at @ 80 Cent m @ First Am

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE DATE OF REQUEST 10-06-09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

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☐ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name Sally H. Prill

By serving, it's _____

Address 20 Adler Circle

City, State, Zip Galveston, Texas 77551

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☒ District Clerk to serve via certified mail return receipt requested

☐ Call Attorney for pick up @ phone number _____

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09 OCT -8 AM 11:24
DISTRICT CLERK
GALVESTON COUNTY, TX

11/4/09 ~ 1 ct @ 80 cent m First Amari

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☒ Citation (serves copy of Petition)

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☐ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name James E. Toups

By serving, it's _____

Address 2022 Morning Lake Drive

City, State, Zip League City, TX 775734

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☒ District Clerk to serve via certified mail return receipt requested

☐ Call Attorney for pick up @ phone number _____

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid 10-06-09

Amount/Method of payment check

Signature of attorney requesting issuance of service _____

*Service will not be issued without signature

DISTRICT CLERK
GALVESTON COUNTY, TX

09 OCT -8 AM 11:24

11/4/09 m 1 cit @ 80 by cert M (u)

First Amended

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE DATE OF REQUEST 10/06/09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

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Type of service requested – please check each type when requesting multiple service documents

☒ Citation (serves copy of Petition)

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☐ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name Diane Kerkhove

By serving, it's _____

Address 109 Royal Drive

City, State, Zip League City, TX 77573

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☒ District Clerk to serve via certified mail return receipt requested

☐ Call Attorney for pick up @ phone number _____

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid 10-06-09 Amount/Method of payment check

Signature of attorney requesting issuance of service [Signature]
*Service will not be issued without signature
GALVESTON COUNTY, TX
DISTRICT CLERK
09 OCT - 8 AM 11:25

11/04/09 ~ 1 Ct @ 80 Ctd M First Amended

CIVIL CITATION

THE STATE OF TEXAS

09CV1729 - 212TH

CARNIVAL CORPORATION, ET AL
VS

BOARD OF PILOT COMMISSIONERS FOR GALVESTON COUNTY PORTS

TO: JAMES E. TOUPS
2022 MORNING LAKE DRIVE, LEAGUE CITY, TEXAS 77573 OR
WHEREVER HE MAY BE FOUND

DEFENDANT: Greeting:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days from the date you were served this citation and petition, a default judgment may be taken against you. Said written answer may be filed by mailing same to: District Clerk's Office, 600 59th Street, Ste. 4001, Galveston, Texas 77551-2388. The case is presently pending before the 212TH Judicial District Court of Galveston County sitting in Galveston, Texas, wherein, THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES A/K/A THE PORT OF GALVESTON AND GALVESTON PORT FACILITIES CORPORATION, Intervenor's filed THEIR THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION complaining of and against (SEE ATTACHED PETITION FOR LISTED PARTIES) on the 21ST day of OCTOBER, 2009. It bears cause number 09CV1729 and all parties to the suit are evidenced by the pleadings on file in this cause.

The nature of Intervenor's demand is fully shown by a true and correct copy of THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION, accompanying this citation, and made a part hereof.

The name and address of the intervenor or the attorney of record is:

ANTHONY P. BROWN, ATTORNEY
MCLEOD, ALEXANDER, POWEL & APFEL, P.C.
802 ROSENBERG, P.O. BOX 629
GALVESTON, TEXAS 77553

If this citation is not served, it shall be returned unserved.

Issued and given under my hand and the seal of said court at Galveston, Texas, this the 21ST day of October, A.D., 2009.

ATTEST:
LATONIA D. WILSON
District Clerk, Galveston County, Texas

By TERRIE KAHLA, Deputy

NOTE:

A STATUS CONFERENCE HAS BEEN SET FOR DECEMBER 23, 2009 in the
District Court AT 9:00 A.M.

OFFICER'S OR AUTHORIZED & DISINTERESTED PERSON'S RETURN

Came to hand on 22 day of October, 2009 at 11:00 o'clock A.M. and executed in Galveston County, Texas by delivering to the within named defendant JAMES E. TOUPS, in person or by registered or certified mail, return receipt requested, a true copy of this Citation, with the date of delivery endorsed thereon, together with the accompanying true and correct copy of the THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION, at the following times and places, to-wit:

NAME	DATE	TIME OF SERVICE	PLACE
JAMES TOUPS	10-22-09	5pm	2022 Morning Lake
Ryan Little 5816			League City, TX 77573

Fees - Serving Ryan Little 5816

Name of Officer or Authorized & Disinterested Person

Amount \$ Galveston County, Texas

By Ryan Little 5816
Signature of Deputy or Authorized & Disinterested Person

Authorized & Disinterested Person's Verification: Ryan Little

On this day personally appeared Ryan Little, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

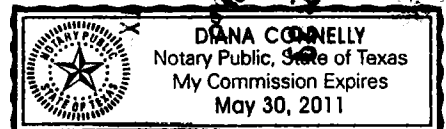
Sworn to and subscribed before me, on this 23rd day of October, 2009.

Notary's Name Printed: Diana Connelly

Notary Public Diana Connelly

In and for the State of Texas

Commission Expires: May 30, 2011



11/16/09

CIVIL CITATION

THE STATE OF TEXAS

09CV1729 - 212TH

CARNIVAL CORPORATION, ET AL
VS

BOARD OF PILOT COMMISSIONERS FOR GALVESTON COUNTY PORTS

TO: EDDIE JANEK
7908 CHANNELVIEW DRIVE
GALVESTON, TEXAS 77554 OR
WHEREVER HE MAY BE FOUND

DEFENDANT: Greeting:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days from the date you were served this citation and petition, a default judgment may be taken against you. Said written answer may be filed by mailing same to: District Clerk's Office, 600 59th Street, Ste. 4001, Galveston, Texas 77551-2388. The case is presently pending before the 212TH Judicial District Court of Galveston County sitting in Galveston, Texas, wherein, THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES A/K/A THE PORT OF GALVESTON AND GALVESTON PORT FACILITIES CORPORATION, Intervenor's filed THEIR THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION complaining of and against (SEE ATTACHED PETITION FOR LISTED PARTIES) on the 21ST day of OCTOBER, 2009. It bears cause number 09CV1729 and all parties to the suit are evidenced by the pleadings on file in this cause.

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The name and address of the intervenor or the attorney of record is:

ANTHONY P. BROWN, ATTORNEY
MCLEOD, ALEXANDER, POWEL & APFEL, P.C.
802 ROSENBERG, P.O. BOX 629
GALVESTON, TEXAS 77553

If this citation is not served, it shall be returned unserved.

Issued and given under my hand and the seal of said court at Galveston, Texas, this the 21ST day of October, A.D., 2009.

ATTEST:
LATONIA D. WILSON
District Clerk, Galveston County, Texas
By Terrie Kahla, Deputy
TERRIE KAHLA

NOTE:

A STATUS CONFERENCE HAS BEEN SET FOR DECEMBER 23, 2009 in the
District Court AT 9:00 A.M.

OFFICER'S OR AUTHORIZED & DISINTERESTED PERSON'S RETURN

Came to hand on 22 day of October, 2009 at 11 o'clock A.M., and executed in Galveston County, Texas by delivering to the within named defendant EDDIE JANEK, in person or by registered or certified mail, return receipt requested, a true copy of this Citation, with the date of delivery endorsed thereon, together with the accompanying true and correct copy of the THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION, at the following times and places, to-wit:

NAME	DATE	TIME OF SERVICE	PLACE
<u>Eddie Janek</u>	<u>10-22-09</u>	<u>12 pm</u>	<u>7908 Channelview</u>

Fees - Serving Ryan Little
Name of Officer or Authorized & Disinterested Person
Amount \$ Galveston County, Texas

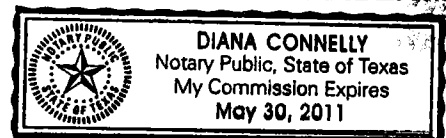
By Ryan Little
Signature of Deputy or Authorized & Disinterested Person

Authorized & Disinterested Person's Verification:

On this day personally appeared Ryan Little, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me, on this 23rd day of October, 2009.

Notary's Name Printed: Diana Connelly
Notary Public
In and for the State of Texas
Commission Expires: May 30, 2011



11/16/09

CIVIL CITATION

THE STATE OF TEXAS

09CV1729 - 212TH

CARNIVAL CORPORATION, ET AL

VS

BOARD OF PILOT COMMISSIONERS FOR GALVESTON COUNTY PORTS

TO: VANDY ANDERSON
6917 WEIS DRIVE, GALVESTON, TEXAS 77551 OR
WHEREVER HE MAY BE FOUND

DEFENDANT: Greeting:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days from the date you were served this citation and petition, a default judgment may be taken against you. Said written answer may be filed by mailing same to: District Clerk's Office, 600 59th Street, Ste. 4001, Galveston, Texas 77551-2388. The case is presently pending before the 212TH Judicial District Court of Galveston County sitting in Galveston, Texas, wherein, THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES A/K/A THE PORT OF GALVESTON AND GALVESTON PORT FACILITIES CORPORATION, Intervenor filed THEIR THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION complaining of and against (SEE ATTACHED PETITION FOR LISTED PARTIES) on the 21ST day of OCTOBER, 2009. It bears cause number 09CV1729 and all parties to the suit are evidenced by the pleadings on file in this cause.

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The name and address of the intervenor or the attorney of record is:

ANTHONY P. BROWN, ATTORNEY
MCLEOD, ALEXANDER, POWEL & APFFEL, P.C.
802 ROSENBERG, P.O. BOX 629
GALVESTON, TEXAS 77553

If this citation is not served, it shall be returned unserved.

Issued and given under my hand and the seal of said court at Galveston, Texas, this the 21ST day of October, A.D., 2009.

ATTEST:

LATONIA D. WILSON
District Clerk, Galveston County, Texas

By Terrie Kahla, Deputy
TERRIE KAHLA

NOTE:

A STATUS CONFERENCE HAS BEEN SET FOR DECEMBER 23, 2009 in the
District Court AT 9:00 A.M.

OFFICER'S OR AUTHORIZED & DISINTERESTED PERSON'S RETURN

Came to hand on 22 day of October, 2009 at 11 o'clock A.M., and executed in Galveston County, Texas by delivering to the within named defendant VANDY ANDERSON, in person or by registered or certified mail, return receipt requested, a true copy of this Citation, with the date of delivery endorsed thereon, together with the accompanying true and correct copy of the THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION, at the following times and places, to-wit:

NAME	DATE	TIME OF SERVICE	PLACE
<u>Vandy Anderson</u>	<u>10-22-9</u>	<u>12 pm</u>	<u>300 University</u>

Fees - Serving

Name of Officer or Authorized & Disinterested Person

Amount \$ Galveston County, Texas

By

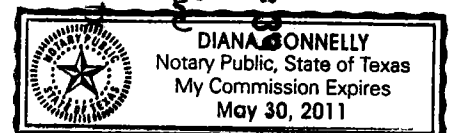
Signature of Deputy or Authorized & Disinterested Person

Authorized & Disinterested Person's Verification:

On this day personally appeared Ryan Little, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me, on this 23rd day of October, 2009.

Notary's Name Printed: Diana Connelly
Notary Public Diana Connelly
In and for the State of Texas
Commission Expires: May 30, 2011



CIVIL CITATION

THE STATE OF TEXAS

09CV1729 - 212TH

CARNIVAL CORPORATION, ET AL

VS

BOARD OF PILOT COMMISSIONERS FOR GALVESTON COUNTY PORTS

TO: SALLY H. PRILL
20 ADLER CIRCLE
GALVESTON, TEXAS 77551 OR
WHEREVER HE MAY BE FOUND

DEFENDANT: Greeting:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days from the date you were served this citation and petition, a default judgment may be taken against you. Said written answer may be filed by mailing same to: District Clerk's Office, 600 59th Street, Ste. 4001, Galveston, Texas 77551-2388. The case is presently pending before the 212TH Judicial District Court of Galveston County sitting in Galveston, Texas, wherein, THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES A/K/A THE PORT OF GALVESTON AND GALVESTON PORT FACILITIES CORPORATION, Intervenor filed THEIR THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION complaining of and against (SEE ATTACHED PETITION FOR LISTED PARTIES) on the 21ST day of OCTOBER, 2009. It bears cause number 09CV1729 and all parties to the suit are evidenced by the pleadings on file in this cause.

The nature of Intervenor's demand is fully shown by a true and correct copy of THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION, accompanying this citation, and made a part hereof.

The name and address of the intervenor or the attorney of record is:

ANTHONY P. BROWN, ATTORNEY
MCLEOD, ALEXANDER, POWEL & APFFEL, P.C.
802 ROSENBERG, P.O. BOX 629
GALVESTON, TEXAS 77553

If this citation is not served, it shall be returned unserved.

Issued and given under my hand and the seal of said court at Galveston, Texas, this the 21ST day of October, A.D., 2009.

ATTEST:
LATONIA D. WILSON
District Clerk, Galveston County, Texas

By TERRIE KAHLA, Deputy
TERRIE KAHLA

NOTE:

A STATUS CONFERENCE HAS BEEN SET FOR DECEMBER 23, 2009 in the District Court AT 9:00 A.M.

OFFICER'S OR AUTHORIZED & DISINTERESTED PERSON'S RETURN

Came to hand on 22 day of October, 2009 at 11 o'clock AM, and executed in Galveston County, Texas by delivering to the within named defendant SALLY H. PRILL, in person or by registered or certified mail, return receipt requested, a true copy of this Citation, with the date of delivery endorsed thereon, together with the accompanying true and correct copy of the THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION, at the following times and places, to-wit:

NAME	DATE	TIME OF SERVICE	PLACE
SALLY PRILL	10-22-09	2 pm	20 Adler circle
Ryan Little 5816			Galveston TX 77551

Fees - Serving Ryan Little 5816
Name of Officer or Authorized & Disinterested Person
Amount \$ Galveston County, Texas

By Ryan Little 5816
Signature of Deputy or Authorized & Disinterested Person

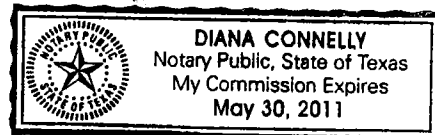
Authorized & Disinterested Person's Verification:

On this day personally appeared Ryan Little, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me, on this 23rd day of October, 2009.

Notary's Name Printed: Diana Connelly
Notary Public
In and for the State of Texas
Commission Expires: May 30, 2011

11/16/09



CIVIL CITATION

THE STATE OF TEXAS

09CV1729 - 212TH

CARNIVAL CORPORATION, ET AL
VS

BOARD OF PILOT COMMISSIONERS FOR GALVESTON COUNTY PORTS

TO: DIANE KERKHOVE
109 ROYAL DRIVE
LEAGUE CITY, TEXAS 77573 OR
WHEREVER HE MAY BE FOUND

DEFENDANT: Greeting:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days from the date you were served this citation and petition, a default judgment may be taken against you. Said written answer may be filed by mailing same to: District Clerk's Office, 600 59th Street, Ste. 4001, Galveston, Texas 77551-2388. The case is presently pending before the 212TH Judicial District Court of Galveston County sitting in Galveston, Texas, wherein, THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES A/K/A THE PORT OF GALVESTON AND GALVESTON PORT FACILITIES CORPORATION, Intervenor filed THEIR THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION complaining of and against (SEE ATTACHED PETITION FOR LISTED PARTIES) on the 21ST day of OCTOBER, 2009. It bears cause number 09CV1729 and all parties to the suit are evidenced by the pleadings on file in this cause.

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The name and address of the intervenor or the attorney of record is:

ANTHONY P. BROWN, ATTORNEY
MCLEOD, ALEXANDER, POWEL & APFFEL, P.C.
802 ROSENBERG, P.O. BOX 629
GALVESTON, TEXAS 77553

If this citation is not served, it shall be returned unserved.

Issued and given under my hand and the seal of said court at Galveston, Texas, this the 21ST day of October, A.D., 2009.

ATTEST:
LATONIA D. WILSON
District Clerk, Galveston County, Texas

By TERRIE KAHLA, Deputy

NOTE:

A STATUS CONFERENCE HAS BEEN SET FOR DECEMBER 23, 2009 in the District Court AT 9:00 A.M.

OFFICER'S OR AUTHORIZED & DISINTERESTED PERSON'S RETURN

Came to hand on 22nd day of October, 2009 at 11:00 o'clock pm, and executed in Galveston County, Texas by delivering to the within named defendant DIANE KERKHOVE, in person or by registered or certified mail, return receipt requested, a true copy of this Citation, with the date of delivery endorsed thereon, together with the accompanying true and correct copy of the THE BOARD OF TRUSTEES OF THE GALVESTON WHARVES AND GALVESTON PORT FACILITIES CORPORATION'S ORIGINAL PETITION IN INTERVENTION, at the following times and places, to-wit:

NAME	DATE	TIME OF SERVICE	PLACE
<u>Diane Kerkhove</u> <u>Ryan Little 5816</u>	<u>10-22-09</u>	<u>2 pm</u>	<u>109 Royal Dr</u> <u>League city, TX 77573</u>

Fees - Serving Ryan Little 5816
Name of Officer or Authorized & Disinterested Person
Amount \$ Galveston County, Texas

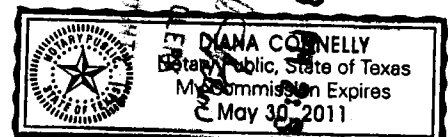
By Ryan Little 5816
Signature of Deputy or Authorized & Disinterested Person

Authorized & Disinterested Person's Verification:

On this day personally appeared Ryan Little, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me, on this 23rd day of October, 2009.

Notary's Name Printed: Diana Connelly
Notary Public Diana Connelly
In and for the State of Texas
Commission Expires: May 30, 2011



STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE

DATE OF REQUEST 11-9-09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

Case Number 09CW 1729 in the 212th Court of Galveston County, Texas

Type of service requested – please check each type when requesting multiple service documents

☐ Citation (serves copy of Petition)

☐ Precept (serves copy of a hearing/show cause order or other document)

☒ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name Vandy Anderson

By serving, it's _____

Address 6917 Weis Drive

City, State, Zip Galveston, Tx. 77551

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☐ District Clerk to serve via certified mail return receipt requested

☒ Process Server
Call Attorney for pick up @ phone number
409-938-8044 (Evelyn Robism)

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid _____

Amount/Method of payment _____

Signature of attorney requesting issuance of service _____

**Service will not be issued without signature*

09 NOV -9 PM 3:33
DISTRICT CLERK
GALVESTON COUNTY, TX.
[Signature]

CAUSE NO. 09CV1729

CARNIVAL CORPORATION;
ROYAL CARIBBEAN CRUISES, LTD.;
and THE FLORIDA-CARIBBEAN
CRUISE ASSOCIATION,

Plaintiffs

vs.

THE BOARD OF PILOT COMMISSIONERS
FOR GALVESTON COUNTY PORTS;
VANDY ANDERSON; JAMES E. TOUPS;
SALLY H. PRILL; EDDIE JANEK; and
DIANE KERKHOVE

Respondents.

§ IN THE DISTRICT COURT OF
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§ GALVESTON COUNTY, TEXAS
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§ 212th JUDICIAL DISTRICT

ORDER GRANTING TEMPORARY RESTRAINING ORDER

The Board of Trustees of the Galveston Wharves, also known as the Port of Galveston (hereafter "Port of Galveston") and Galveston Port Facilities Corporation (hereafter "GPFC"), Intervenor in this cause, have filed a verified Petition for a Temporary Injunction and, in connection therewith, have presented a request for a Temporary Restraining Order, as set out in their Petition in Intervention filed in this cause. It clearly appears from the facts set forth in their verified Petition that the Board of Pilot Commissioners of Galveston County (the "Pilot Board") previously voted to eliminate the requirement of a second pilot on certain cruise line vessels calling on the Port of Galveston, that the Pilot Board has failed to amend and update its tariff rate schedule to reflect this vote, and that within one (1) year of the date of that vote the Pilot Board initially convened a hearing on a new application for rate increase filed by the Galveston County Pilots, that the Pilot Board has not agreed to postpone or abate that hearing pending a determination by this Court, and that unless the Board of Pilot Commissioners of Galveston

County are immediately restrained from conducting the hearing, the Board intends to proceed before Notice can be given and a hearing is held on Intervenor's Motion for a Temporary Injunction, pending in this Court, causing Intervenor to suffer irreparable injury. Further, they require protection in order to fully preserve this Court's jurisdiction over these issues, pending trial on the merits of this Cause.

IT IS THEREFORE ORDERED that Vandy Anderson, Sally Prill, Eddie Janek, James Toups and Diane Kerkhove, as members of the Board of Pilot Commissioners of Galveston County, be, and hereby are commanded forthwith to desist and refrain from holding any hearings on Applications for Rate Increases filed by the Galveston County Pilots from the date of entry of this Order until and to the fourteenth (14) day after entry hereof, or until further Order of this Court.

IT IS FURTHER ORDERED that Vandy Anderson, Sally Prill, Eddie Janek, James Toups and Diane Kerkhove, as members of the Board of Pilot Commissioners of Galveston County, appear before me, Judge of the above-named Court on 11-23-09, 2009 at 9:30 o'clock AM A.m. in the Courtroom of the 212th District Court in the Galveston County Justice Center in Galveston, Galveston County, Texas, then and there to show cause, if any there be, why a temporary injunction should not be issued as requested by the Intervenor. The Clerk of the Court is hereby directed to issue a Show Cause Notice to Defendants to appear at the Temporary Injunction hearing. The Clerk of the above-entitled Court shall forthwith, on the filing by Intervenor of the Bond hereinafter required, and on approving same according to the law, issue a Temporary Restraining Order in conformity with the law, and the terms of this Order.

This Order shall not be effective unless and until Intervenor execute and file with the Clerk a Bond, in conformity with the law, in the amount of Two Hundred Fifty dollars (\$250.00).

Signed this 4 day of Nov, 2009 at 11:50 o'clock 5m.



JUDGE PRESIDING

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE

DATE OF REQUEST 11-9-09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

Case Number 09CV1729 in the 212th Court of Galveston County, Texas

Type of service requested – please check each type when requesting multiple service documents

☐ Citation (serves copy of Petition)

☐ Precept (serves copy of a hearing/show cause order or other document)

☒ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name Sally H. Prill

By serving, it's _____

Address 20 Adler Circle

City, State, Zip Galveston, TX. 77551

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☐ District Clerk to serve via certified mail return receipt requested

☒ Process Server
Call Attorney for pick up @ phone number
(409) 938-8044 (Evelyn Robison)

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid _____

Amount/Method of payment _____

Signature of attorney requesting issuance of service _____

**Service will not be issued without signature*

09 NOV - 9 PM 3:33
DISTRICT CLERK
GALVESTON COUNTY, TX.
[Signature]

CAUSE NO. 09CV1729

CARNIVAL CORPORATION;
ROYAL CARIBBEAN CRUISES, LTD.;
and THE FLORIDA-CARIBBEAN
CRUISE ASSOCIATION,

Plaintiffs

vs.

THE BOARD OF PILOT COMMISSIONERS
FOR GALVESTON COUNTY PORTS;
VANDY ANDERSON; JAMES E. TOUPS;
SALLY H. PRILL; EDDIE JANEK; and
DIANE KERKHOVE

Respondents.

§ IN THE DISTRICT COURT OF
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§ GALVESTON COUNTY, TEXAS
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§
§ 212th JUDICIAL DISTRICT

ORDER GRANTING TEMPORARY RESTRAINING ORDER

The Board of Trustees of the Galveston Wharves, also known as the Port of Galveston (hereafter "Port of Galveston") and Galveston Port Facilities Corporation (hereafter "GPFC"), Intervenor in this cause, have filed a verified Petition for a Temporary Injunction and, in connection therewith, have presented a request for a Temporary Restraining Order, as set out in their Petition in Intervention filed in this cause. It clearly appears from the facts set forth in their verified Petition that the Board of Pilot Commissioners of Galveston County (the "Pilot Board") previously voted to eliminate the requirement of a second pilot on certain cruise line vessels calling on the Port of Galveston, that the Pilot Board has failed to amend and update its tariff rate schedule to reflect this vote, and that within one (1) year of the date of that vote the Pilot Board initially convened a hearing on a new application for rate increase filed by the Galveston County Pilots, that the Pilot Board has not agreed to postpone or abate that hearing pending a determination by this Court, and that unless the Board of Pilot Commissioners of Galveston

County are immediately restrained from conducting the hearing, the Board intends to proceed before Notice can be given and a hearing is held on Intervenor's Motion for a Temporary Injunction, pending in this Court, causing Intervenor to suffer irreparable injury. Further, they require protection in order to fully preserve this Court's jurisdiction over these issues, pending trial on the merits of this Cause.

IT IS THEREFORE ORDERED that Vandy Anderson, Sally Prill, Eddie Janek, James Toups and Diane Kerkhove, as members of the Board of Pilot Commissioners of Galveston County, be, and hereby are commanded forthwith to desist and refrain from holding any hearings on Applications for Rate Increases filed by the Galveston County Pilots from the date of entry of this Order until and to the fourteenth (14) day after entry hereof, or until further Order of this Court.

IT IS FURTHER ORDERED that Vandy Anderson, Sally Prill, Eddie Janek, James Toups and Diane Kerkhove, as members of the Board of Pilot Commissioners of Galveston County, appear before me, Judge of the above-named Court on 11-23-09, 2009 at 9:30 o'clock AM A.m. in the Courtroom of the 212th District Court in the Galveston County Justice Center in Galveston, Galveston County, Texas, then and there to show cause, if any there be, why a temporary injunction should not be issued as requested by the Intervenor. The Clerk of the Court is hereby directed to issue a Show Cause Notice to Defendants to appear at the Temporary Injunction hearing. The Clerk of the above-entitled Court shall forthwith, on the filing by Intervenor of the Bond hereinafter required, and on approving same according to the law, issue a Temporary Restraining Order in conformity with the law, and the terms of this Order.

This Order shall not be effective unless and until Intervenor execute and file with the Clerk a Bond, in conformity with the law, in the amount of Two Hundred Fifty dollars (\$250.00).

Signed this 4 day of Nov, 2009 at 4:50 o'clock 5 m.



JUDGE PRESIDING

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE

DATE OF REQUEST 11-9-09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

Case Number 09CV 1729 in the 212th Court of Galveston County, Texas

Type of service requested – please check each type when requesting multiple service documents

☐ Citation (serves copy of Petition)

☐ Precept (serves copy of a hearing/show cause order or other document)

☒ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name James E. Toups

By serving, it's _____

Address 2022 Morning Lake Drive

City, State, Zip League City, TX. 77573

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☐ District Clerk to serve via certified mail return receipt requested

☒ Process Server
Call Attorney for pick up @ phone number

409 938-8044 (Evelyn Robison)

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid _____

Amount/Method of payment _____

Signature of attorney requesting issuance of service _____

*Service will not be issued without signature

09 NOV 19 PM 3:33
JAMES E. TOUPS
DISTRICT CLERK
GALVESTON COUNTY, TX.

CAUSE NO. 09CV1729

CARNIVAL CORPORATION;
ROYAL CARIBBEAN CRUISES, LTD.;
and THE FLORIDA-CARIBBEAN
CRUISE ASSOCIATION,

Plaintiffs

vs.

THE BOARD OF PILOT COMMISSIONERS
FOR GALVESTON COUNTY PORTS;
VANDY ANDERSON; JAMES E. TOUPS;
SALLY H. PRILL; EDDIE JANEK; and
DIANE KERKHOVE

Respondents.

§ IN THE DISTRICT COURT OF
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§ GALVESTON COUNTY, TEXAS
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§ 212th JUDICIAL DISTRICT

ORDER GRANTING TEMPORARY RESTRAINING ORDER

The Board of Trustees of the Galveston Wharves, also known as the Port of Galveston (hereafter "Port of Galveston") and Galveston Port Facilities Corporation (hereafter "GPFC"), Intervenor in this cause, have filed a verified Petition for a Temporary Injunction and, in connection therewith, have presented a request for a Temporary Restraining Order, as set out in their Petition in Intervention filed in this cause. It clearly appears from the facts set forth in their verified Petition that the Board of Pilot Commissioners of Galveston County (the "Pilot Board") previously voted to eliminate the requirement of a second pilot on certain cruise line vessels calling on the Port of Galveston, that the Pilot Board has failed to amend and update its tariff rate schedule to reflect this vote, and that within one (1) year of the date of that vote the Pilot Board initially convened a hearing on a new application for rate increase filed by the Galveston County Pilots, that the Pilot Board has not agreed to postpone or abate that hearing pending a determination by this Court, and that unless the Board of Pilot Commissioners of Galveston

County are immediately restrained from conducting the hearing, the Board intends to proceed before Notice can be given and a hearing is held on Intervenor's Motion for a Temporary Injunction, pending in this Court, causing Intervenor's to suffer irreparable injury. Further, they require protection in order to fully preserve this Court's jurisdiction over these issues, pending trial on the merits of this Cause.

IT IS THEREFORE ORDERED that Vandy Anderson, Sally Prill, Eddie Janek, James Toups and Diane Kerkhove, as members of the Board of Pilot Commissioners of Galveston County, be, and hereby are commanded forthwith to desist and refrain from holding any hearings on Applications for Rate Increases filed by the Galveston County Pilots from the date of entry of this Order until and to the fourteenth (14) day after entry hereof, or until further Order of this Court.

IT IS FURTHER ORDERED that Vandy Anderson, Sally Prill, Eddie Janek, James Toups and Diane Kerkhove, as members of the Board of Pilot Commissioners of Galveston County, appear before me, Judge of the above-named Court on 11-23-09, 2009 at 9:30 o'clock AM in the Courtroom of the 212th District Court in the Galveston County Justice Center in Galveston, Galveston County, Texas, then and there to show cause, if any there be, why a temporary injunction should not be issued as requested by the Intervenor's. The Clerk of the Court is hereby directed to issue a Show Cause Notice to Defendants to appear at the Temporary Injunction hearing. The Clerk of the above-entitled Court shall forthwith, on the filing by Intervenor's of the Bond hereinafter required, and on approving same according to the law, issue a Temporary Restraining Order in conformity with the law, and the terms of this Order.

This Order shall not be effective unless and until Intervenor execute and file with the Clerk a Bond, in conformity with the law, in the amount of Two Hundred Fifty dollars (\$250.00).

Signed this 4 day of Nov, 2009 at 11:50 o'clock 5m.



JUDGE PRESIDING

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REQUEST FOR ISSUANCE OF SERVICE

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Case Number 09CV 1729 in the 212th Court of Galveston County, Texas

Type of service requested – please check each type when requesting multiple service documents

☐ Citation (serves copy of Petition)

☒ Precept (serves copy of a hearing/show cause order or other document)

☐ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name Diane Kerkhove

By serving, it's _____

Address 109 Royal Drive

City, State, Zip League City, TX. 77573

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff.

☐ District Clerk to serve via certified mail return receipt requested

☒ ^{process server}
Call Attorney for pick up @ phone number
(409) 938-8044 (Evelyn Robison)

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid _____

Amount/Method of payment _____

Signature of attorney requesting issuance of service _____

**Service will not be issued without signature*

09 NOV -9 PM 3:33
DISTRICT CLERK
GALVESTON COUNTY, TX
[Signature]

CAUSE NO. 09CV1729

CARNIVAL CORPORATION;
ROYAL CARIBBEAN CRUISES, LTD.;
and THE FLORIDA-CARIBBEAN
CRUISE ASSOCIATION,

Plaintiffs

vs.

THE BOARD OF PILOT COMMISSIONERS
FOR GALVESTON COUNTY PORTS;
VANDY ANDERSON; JAMES E. TOUPS;
SALLY H. PRILL; EDDIE JANEK; and
DIANE KERKHOVE

Respondents.

§ IN THE DISTRICT COURT OF
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§ GALVESTON COUNTY, TEXAS
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§ 212th JUDICIAL DISTRICT

ORDER GRANTING TEMPORARY RESTRAINING ORDER

The Board of Trustees of the Galveston Wharves, also known as the Port of Galveston (hereafter "Port of Galveston") and Galveston Port Facilities Corporation (hereafter "GPFC"), Intervenor in this cause, have filed a verified Petition for a Temporary Injunction and, in connection therewith, have presented a request for a Temporary Restraining Order, as set out in their Petition in Intervention filed in this cause. It clearly appears from the facts set forth in their verified Petition that the Board of Pilot Commissioners of Galveston County (the "Pilot Board") previously voted to eliminate the requirement of a second pilot on certain cruise line vessels calling on the Port of Galveston, that the Pilot Board has failed to amend and update its tariff rate schedule to reflect this vote, and that within one (1) year of the date of that vote the Pilot Board initially convened a hearing on a new application for rate increase filed by the Galveston County Pilots, that the Pilot Board has not agreed to postpone or abate that hearing pending a determination by this Court, and that unless the Board of Pilot Commissioners of Galveston

County are immediately restrained from conducting the hearing, the Board intends to proceed before Notice can be given and a hearing is held on Intervenor's Motion for a Temporary Injunction, pending in this Court, causing Intervenor to suffer irreparable injury. Further, they require protection in order to fully preserve this Court's jurisdiction over these issues, pending trial on the merits of this Cause.

IT IS THEREFORE ORDERED that Vandy Anderson, Sally Prill, Eddie Janek, James Toups and Diane Kerkhove, as members of the Board of Pilot Commissioners of Galveston County, be, and hereby are commanded forthwith to desist and refrain from holding any hearings on Applications for Rate Increases filed by the Galveston County Pilots from the date of entry of this Order until and to the fourteenth (14) day after entry hereof, or until further Order of this Court.

IT IS FURTHER ORDERED that Vandy Anderson, Sally Prill, Eddie Janek, James Toups and Diane Kerkhove, as members of the Board of Pilot Commissioners of Galveston County, appear before me, Judge of the above-named Court on 11-23-09, 2009 at 9:30 o'clock PM A.m. in the Courtroom of the 212th District Court in the Galveston County Justice Center in Galveston, Galveston County, Texas, then and there to show cause, if any there be, why a temporary injunction should not be issued as requested by the Intervenor. The Clerk of the Court is hereby directed to issue a Show Cause Notice to Defendants to appear at the Temporary Injunction hearing. The Clerk of the above-entitled Court shall forthwith, on the filing by Intervenor of the Bond hereinafter required, and on approving same according to the law, issue a Temporary Restraining Order in conformity with the law, and the terms of this Order.

This Order shall not be effective unless and until Intervenors execute and file with the Clerk a Bond, in conformity with the law, in the amount of Two Hundred Fifty dollars (\$250.00).

Signed this 4 day of Nov, 2009 at 11:50 o'clock 5m.



JUDGE PRESIDING

CITATION
THE STATE OF TEXAS
CASE NO. 09CV1729 - 212TH District Court

CARNIVAL CORPORATION, ET AL

VS.

Certified Article Number

7160 3701 9845 1293 9410

SENDERS RECORD

BOARD OF PILOT COMMISSIONERS FOR GALVESTON COUNTY PORTS

Issued To: SALLY H. PRILL, 20 ADLER CIRCLE, GALVESTON, TEXAS 77551

Defendant Greetings:

NOTICE TO DEFENDANT: You have been sued. You may employ an Attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. The First Amended petition was filed on the 29TH day of October 2009 in cause number 09CV1729 pending before the 212TH District Court of Galveston County, Texas. See attached First Amended Petition for named parties to the suit.

The name and address of the Pro Se party or Attorney: JUSTIN W.R. RENSHAW, 1331 LAMAR, SUITE 1560, HOUSTON, TEXAS 77010

The nature of the demand of the Plaintiff is shown by a true and correct copy of the First Amended Petition attached to this citation.

If this citation is not served it shall be returned unserved.

Issued and given under my hand and seal of Court at Office, on NOVEMBER 4, 2009 A.D.

A Status Conference is set for: 12-23-2009 AT 9:00 A.M.

Please refer to and complete the attached Status Conference Sheet. Upon completion, please return to Clerk of Court.

LATONIA D. WILSON, District Clerk, Galveston County, Texas,
600 59th Street, Suite 4001, Galveston, Texas 77551

By

Lelia Stubblefield, Deputy Clerk

OFFICER'S RETURN

Came to hand on the _____ day of _____, _____ at _____ o'clock at _____ M. Executing

Within the County of Galveston, at _____ o'clock _____ M. on the 4th day of

November, 2009. By delivering to the within the named Defendant by serving at:

20 Adler Circle, Galveston, TX 77551

Each in person a true copy of this citation together with the accompanying copy of the petition, having first attached such copy of such petition to such copy of citation and endorsed on such copy of citation the date of delivery.

Total fee for serving citation \$ 65.00

Name of Officer or Authorized & Disinterested Person
Latonia D. Wilson, County, Texas

By: Lelia Stubblefield, Signature of Deputy of Authorized & Disinterested Person

Authorized & Disinterested person's Verification:

On this the day personally appeared _____, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me, on this the _____ day of _____, _____

Notary's Name Printed: _____

Notary Public in and for the State of Texas _____

Commission Expires: _____


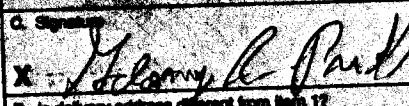
LATONIA D. WILSON
CLERK DISTRICT COURT
FILED

NOV 09 2009
11:30 AM

GALVESTON COUNTY, TEXAS
BY Lelia Stubblefield
Deputy

11/30/09

Noted
by

2. Article Number		A. Received by (Please Print Clearly)		B. Date of Delivery	
 7160 3901 9845 1293 9410				11-6-9	
3. Service Type CERTIFIED MAIL		C. Signature		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No			
1. Article Addressed to: SALLY H. PRILL 20 ADLER CIRCLE GALVESTON, TX 77551		Reference Information 09CV1724- 2/21/12 Sender Lelia Stubblefield			
PS Form 3811, January 2008		Domestic Return Receipt			

Citation Personal Service

CITATION
THE STATE OF TEXAS
CASE NO. 09CV1729 - 212TH District Court

CARNIVAL CORPORATION, ET AL

VS.

Certified Article Number

7160 3901 9845 1293 9373

SENDERS RECORD

BOARD OF PILOT COMMISSIONERS FOR GALVESTON COUNTY PORTS

Issued To: JAMES E. TOUPS, 2022 MORNING LAKE DRIVE, LEAGUE CITY, TEXAS 77573

Defendant Greetings:

NOTICE TO DEFENDANT: You have been sued. You may employ an Attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. The First Amended petition was filed on the 29TH day of October 2009 in cause number 09CV1729 pending before the 212TH District Court of Galveston County, Texas. See attached First Amended Petition for named parties to the suit.

The name and address of the Pro Se party or Attorney: JUSTIN W.R. RENSHAW, 1331 LAMAR, SUITE 1560, HOUSTON, TEXAS 77010

The nature of the demand of the Plaintiff is shown by a true and correct copy of the First Amended Petition attached to this citation.

If this citation is not served it shall be returned unserved.

Issued and given under my hand and seal of Court at Office, on NOVEMBER 4, 2009 A.D.

A Status Conference is set for: 12-23-2009 AT 9:00 A.M.

Please refer to and complete the attached Status Conference Sheet. Upon completion, please return to Clerk of Court.

LATONIA D. WILSON, District Clerk, Galveston County, Texas,
600 59th Street, Suite 4001, Galveston, Texas 77551

By: Lelia Stubblefield
Lelia Stubblefield, Deputy Clerk

OFFICER'S RETURN

Came to hand on the _____ day of _____, _____ at _____ o'clock at _____ M. Executing
Within the County of Galveston, at _____ o'clock _____ M. on the 14th day of
November, 2009. By delivering to the within the named Defendant by serving at:

2022 morning lake drive League City Texas 77573

Each in person a true copy of this citation together with the accompanying copy of the petition, having first attached such copy of such petition to such copy of citation and endorsed on such copy of citation the date of delivery.

Total fee for serving citation \$ 65.00

Latoria D. Wilson
Name of Officer or Authorized & Disinterested Person
Galveston, County, Texas

By: Lelia Stubblefield
Signature of Deputy of Authorized & Disinterested Person

Authorized & Disinterested person's Verification:

On this the day personally appeared _____, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me, on this the _____ day of _____, _____

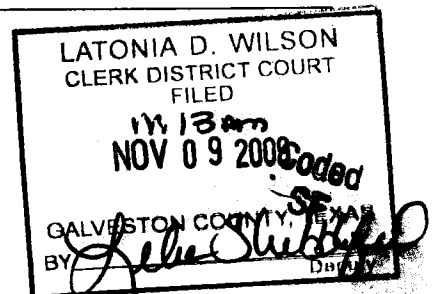
Notary's Name Printed: _____


Notary Public in and for the State of Texas _____

Commission Expires: _____

11/30/09

Noted
RW



 7160 3901 9845 1293 9373		Registered by (Please Print Name) <i>James E. Toups</i> 1/1-69 Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Service Type CERTIFIED MAIL 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		5. Is delivery address different from item 1? If YES, enter delivery address below:
1. Article Addressed to: JAMES E. TOUPS 2022 MORNING LAKE DRIVE LEAGUE CITY, TX 77573		Reference Information 09CV1729-212TH Sender Lelia Stubblefield
PS Form 3817, January 2005		Domestic Return Receipt

7160 3901 9845 1293 9373 TO: JAMES E. TOUPS 2022 MORNING LAKE DRIVE LEAGUE CITY, TX 77573		SENDER: Sender Lelia Stubblefield REFERENCE: 09CV1729-212TH	PS Form 3800, January 2005 <table border="1"> <tr> <td>RETURN RECEIPT SERVICE</td> <td>Postage</td> <td>0.39</td> </tr> <tr> <td></td> <td>Certified Fee</td> <td>2.40</td> </tr> <tr> <td></td> <td>Return Receipt Fee</td> <td>0.00</td> </tr> <tr> <td></td> <td>Restricted Delivery</td> <td>0.00</td> </tr> <tr> <td></td> <td>Total Postage & Fees</td> <td>2.79</td> </tr> </table>	RETURN RECEIPT SERVICE	Postage	0.39		Certified Fee	2.40		Return Receipt Fee	0.00		Restricted Delivery	0.00		Total Postage & Fees	2.79	POSTMARK OR DATE 2/79
RETURN RECEIPT SERVICE	Postage	0.39																	
	Certified Fee	2.40																	
	Return Receipt Fee	0.00																	
	Restricted Delivery	0.00																	
	Total Postage & Fees	2.79																	
US Postal Service Receipt for Certified Mail No Insurance Coverage Provided Do Not Use for International Mail																			

Citation Personal Service

CITATION
THE STATE OF TEXAS
CASE NO. 09CV1729 - 212TH District Court

CARNIVAL CORPORATION, ET AL

VS.

Certified Article Number

7160 3901 9845 1293 9397

SENDERS RECORD

BOARD OF PILOT COMMISSIONERS FOR GALVESTON COUNTY PORTS

Issued To: EDDIE JANEK, 7908 CHANNELVIEW DRIVE, GALVESTON, TEXAS 77554

Defendant Greetings:

NOTICE TO DEFENDANT: You have been sued. You may employ an Attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. The First Amended petition was filed on the 29TH day of October 2009 in cause number 09CV1729 pending before the 212TH District Court of Galveston County, Texas. See attached First Amended Petition for named parties to the suit.

The name and address of the Pro Se party or Attorney: JUSTIN W.R. RENSHAW, 1331 LAMAR, SUITE 1560, HOUSTON, TEXAS 77010

The nature of the demand of the Plaintiff is shown by a true and correct copy of the First Amended Petition attached to this citation.

If this citation is not served it shall be returned unserved.

Issued and given under my hand and seal of Court at Office, on NOVEMBER 4, 2009 A.D.

A Status Conference is set for: 12-23-2009 AT 9:00 A.M.

Please refer to and complete the attached Status Conference Sheet. Upon completion, please return to Clerk of Court.

LATONIA D. WILSON, District Clerk, Galveston County, Texas,
600 59th Street, Suite 4001, Galveston, Texas 77551

By:

Helia Stubblefield, Deputy Clerk

OFFICER'S RETURN

Came to hand on the _____ day of _____, at _____ o'clock at _____ M. Executing

Within the County of Galveston, at _____ o'clock _____ M. on the 4th day of

November, 2009. By delivering to the within the named Defendant by serving at:

7908 Channelview Drive, Galveston, Texas 77554

Each in person a true copy of this citation together with the accompanying copy of the petition, having first attached such copy of such petition to such copy of citation and endorsed on such copy of citation the date of delivery.

Total fee for serving citation \$ 650.00

Name of Officer or Authorized & Disinterested Person

Galveston, County, Texas

By: Helia Stubblefield, Signature of Deputy of Authorized & Disinterested Person

Authorized & Disinterested person's Verification:

On this the day personally appeared _____, known to me to be the person

whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me, on this the _____ day of _____,

Notary's Name Printed: _____

Notary Public in and for the State of Texas _____



Commission Expires: _____

LATONIA D. WILSON
CLERK DISTRICT COURT
FILED

11:13am
NOV 09 2009

GALVESTON COUNTY, TEXAS

BY: Helia Stubblefield Deputy

 7160 3901 9845 1293 9397		A. Received by (Please Print Clearly) B. Date of Delivery 1/26	
3. Service Type CERTIFIED MAIL		C. Signature 	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee <input type="checkbox"/> Yes <input type="checkbox"/> No	
1. Article Addressed to: EDDIE JANEK 7908 CHANNELVIEW DRIVE GALVESTON, TX 77554			
		Reference Information 09CV1729-212TH Sender Lelia Stubblefield	
PS Form 3811, January 2005		Domestic Return Receipt	

TO: EDDIE JANEK 7908 CHANNELVIEW DRIVE GALVESTON, TX 77554		SENDER: Sender Lelia Stubblefield																
REFERENCE: 09CV1729-212TH		PS Form 3800, January 2005																
US Postal Service Receipt for Certified Mail No Insurance Coverage Provided Do Not Use for International Mail		<table border="1"> <tr> <td>RETURN RECEIPT SERVICE</td> <td>Postage</td> <td>0.39</td> </tr> <tr> <td></td> <td>Certified Fee</td> <td>2.40</td> </tr> <tr> <td></td> <td>Return Receipt Fee</td> <td>0.00</td> </tr> <tr> <td></td> <td>Restricted Delivery</td> <td>0.00</td> </tr> <tr> <td></td> <td>Total Postage & Fees</td> <td>2.79</td> </tr> </table>		RETURN RECEIPT SERVICE	Postage	0.39		Certified Fee	2.40		Return Receipt Fee	0.00		Restricted Delivery	0.00		Total Postage & Fees	2.79
RETURN RECEIPT SERVICE	Postage	0.39																
	Certified Fee	2.40																
	Return Receipt Fee	0.00																
	Restricted Delivery	0.00																
	Total Postage & Fees	2.79																
POSTMARK OR DATE																		

CITATION
THE STATE OF TEXAS
CASE NO. 09CV1729 - 212TH District Court

CARNIVAL CORPORATION, ET AL

VS.

Certified Article Number

7160 3901 9845 1293 9380

SENDERS RECORD

BOARD OF PILOT COMMISSIONERS FOR GALVESTON COUNTY PORTS

Issued To: VANDY ANDERSON, 6917 WEIS DRIVE, GALVESTON, TEXAS 77551

Defendant Greetings:

NOTICE TO DEFENDANT: You have been sued. You may employ an Attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. The First Amended petition was filed on the 29TH day of October 2009 in cause number 09CV1729 pending before the 212TH District Court of Galveston County, Texas. See attached First Amended Petition for named parties to the suit.

The name and address of the Pro Se party or Attorney: JUSTIN W.R. RENSHAW, 1331 LAMAR, SUITE 1560, HOUSTON, TEXAS 77010

The nature of the demand of the Plaintiff is shown by a true and correct copy of the First Amended Petition attached to this citation.

If this citation is not served it shall be returned unserved.

Issued and given under my hand and seal of Court at Office, on NOVEMBER 4, 2009 A.D.

A Status Conference is set for: 12-23-2009 AT 9:00 A.M.

Please refer to and complete the attached Status Conference Sheet. Upon completion, please return to Clerk of Court.

LATONIA D. WILSON, District Clerk, Galveston County, Texas,
600 59th Street, Suite 4001, Galveston, Texas 77551

By:

Lelia Stubblefield, Deputy Clerk

OFFICER'S RETURN

Came to hand on the _____ day of _____, _____ at _____ o'clock at _____ M. Executing

Within the County of Galveston, at _____ o'clock _____ M. on the 6th day of

November, 2009. By delivering to the within the named Defendant by serving at:

6917 Weis Drive, Galveston, Texas 77551

Each in person a true copy of this citation together with the accompanying copy of the petition, having first attached such copy of such petition to such copy of citation and endorsed on such copy of citation the date of delivery.

Total fee for serving citation \$ 6500

Name of Officer or Authorized & Disinterested Person

Latonia D. Wilson, County, Texas

By: Lelia Stubblefield Signature of Deputy of Authorized & Disinterested Person

Authorized & Disinterested person's Verification:

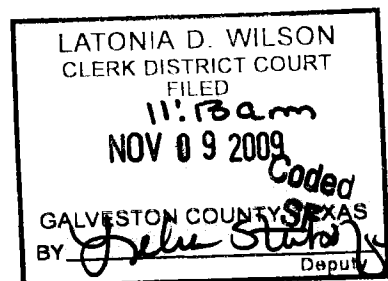
On this the day personally appeared _____, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me, on this the _____ day of _____,

Notary's Name Printed: _____

Notary Public in and for the State of Texas

Commission Expires: _____



2. Article Number

7160 3901 9845 1293 9380

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) ☐ Yes

1. Article Addressed to:

VANDY ANDERSON
6917 WEIS DRIVE
GALVESTON, TX 77551

Reference Information

09CV1729-212TH

Sender Lelia Stubblefield

PS Form 3800, January 2005

7160 3901 9845 1293 9380

TO:

VANDY ANDERSON
6917 WEIS DRIVE
GALVESTON, TX 77551

SENDER:

Sender Lelia Stubblefield

REFERENCE:

09CV1729-212TH

PS Form 3800, January 2005

RETURN RECEIPT SERVICE		Postage	
		Certified Fee	0.39
		Return Receipt Fee	2.40
		Restricted Delivery	0.00
		Total Postage & Fees	0.00

US Postal Service
Receipt for
Certified Mail

No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE

2.79

CITATION
THE STATE OF TEXAS
CASE NO. 09CV1729 - 212TH District Court

CARNIVAL CORPORATION, ET AL

VS.

Certified Article Number

7160 3901 9845 1293 9366

SENDERS RECORD

BOARD OF PILOT COMMISSIONERS FOR GALVESTON COUNTY PORTS

Issued To: DIANE KERKHOVE, 109 ROYAL DRIVE, LEAGUE CITY, TEXAS 77573

Defendant Greetings:

NOTICE TO DEFENDANT: You have been sued. You may employ an Attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. The First Amended petition was filed on the 29TH day of October 2009 in cause number 09CV1729 pending before the 212TH District Court of Galveston County, Texas. See attached First Amended Petition for named parties to the suit.

The name and address of the Pro Se party or Attorney: JUSTIN W.R. RENSHAW, 1331 LAMAR, SUITE 1560, HOUSTON, TEXAS 77010

The nature of the demand of the Plaintiff is shown by a true and correct copy of the First Amended Petition attached to this citation.

If this citation is not served it shall be returned unserved.

Issued and given under my hand and seal of Court at Office, on NOVEMBER 4, 2009 A.D.

A Status Conference is set for: 12-23-2009 AT 9:00 A.M.

Please refer to and complete the attached Status Conference Sheet. Upon completion, please return to Clerk of Court.

LATONIA D. WILSON, District Clerk, Galveston County, Texas,
600 59th Street, Suite 4001, Galveston, Texas 77551

By:

Lelia Stubblefield
Lelia Stubblefield, Deputy Clerk

OFFICER'S RETURN

Came to hand on the _____ day of _____, _____ at _____ o'clock at _____ M. Executing
Within the County of Galveston, at _____ o'clock _____ M. on the 10th day of

November, 2009. By delivering to the within the named Defendant by serving at:
109 Royal Drive, League City, Texas 77573

Each in person a true copy of this citation together with the accompanying copy of the petition, having first attached such copy of such petition to such copy of citation and endorsed on such copy of citation the date of delivery.

Total fee for serving citation \$ 68.00

Latonia D. Wilson
Name of Officer or Authorized & Disinterested Person

_____, County, Texas

By:

Lelia Stubblefield
Signature of Deputy of Authorized & Disinterested Person

Authorized & Disinterested person's Verification:

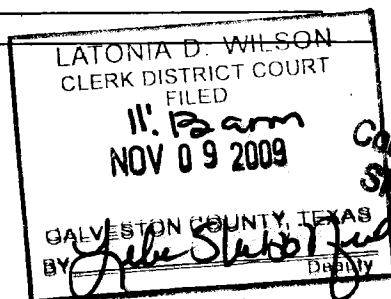
On this the day personally appeared _____, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me, on this the _____ day of _____, _____

Notary's Name Printed:

Notary Public in and for the State of Texas

Commission Expires: _____



2. Article Number

7160 3901 9845 1293 9366

3. Service Type: **CERTIFIED MAIL**

4. Restricted Delivery® (Extra Fee)

1. Article Addressed to:

DIANE KERKHOVE
109 ROYAL DRIVE
LEAGUE CITY, TX 77573

Reference Information

09CV1729-212TH

Sender Lelia Stubblefield

PS Form 3811, January 2005 Domestic Return Receipt

7160 3901 9845 1293 9366

TO: DIANE KERKHOVE
109 ROYAL DRIVE
LEAGUE CITY, TX 77573

SENDER: Sender Lelia Stubblefield

REFERENCE: 09CV1729-212TH

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	0.39
	Certified Fee	2.40
	Return Receipt Fee	0.00
	Restricted Delivery	0.00
	Total Postage & Fees	2.79

US Postal Service
**Receipt for
Certified Mail**
No Insurance Coverage Provided
Do Not Use for International Mail

POSTMARK OR DATE

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE

DATE OF REQUEST 11-9-09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

Case Number 09CV 1729 in the 212th Court of Galveston County, Texas

Type of service requested – please check each type when requesting multiple service documents

☐ Citation (serves copy of Petition)

☒ Precept (serves copy of a hearing/show cause order or other document)

☐ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name Diane Kerkhove

By serving, it's _____

Address 109 Royal Drive

City, State, Zip League City, TX. 77573

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☐ District Clerk to serve via certified mail return receipt requested

☒ ^{process server}
Call Attorney for pick up @ phone number
(409) 938-8044 (Evelyn Robison)

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid _____

Amount/Method of payment _____

Signature of attorney requesting issuance of service _____

**Service will not be issued without signature*

DISTRICT CLERK
GALVESTON COUNTY, TX

Evelyn Robison

09 NOV - 9 PM 3:35

11/10/09 ~ 1 1/2 TRU @ 800 PP (15)

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE **DATE OF REQUEST** 11-9-09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

Case Number 09CV 1729 in the 212th Court of Galveston County, Texas

Type of service requested – please check each type when requesting multiple service documents

☐ Citation (serves copy of Petition)

☐ Precept (serves copy of a hearing/show cause order or other document)

☒ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name James E. Toups

By serving, it's _____

Address 2022 Morning Lake Drive

City, State, Zip League City, TX. 77573

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☐ District Clerk to serve via certified mail return receipt requested

☒ Process Server
Call Attorney for pick up @ phone number
409 938-8044 (Evelyn Robison)

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid _____ Amount/Method of payment _____

Signature of attorney requesting issuance of service _____

**Service will not be issued without signature*

DISTRICT CLERK
GALVESTON COUNTY, TX

James E. Toups

09 NOV - 9 PM 3:36

11/10/09 ~ 1/2 TRO @ 8w PP (L)

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE

DATE OF REQUEST 11-9-09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

Case Number 09CW 1729 in the 212th Court of Galveston County, Texas

Type of service requested – please check each type when requesting multiple service documents

☐ Citation (serves copy of Petition)

☐ Precept (serves copy of a hearing/show cause order or other document)

☒ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name Vandy Anderson

By serving, it's _____

Address 6917 Weis Drive

City, State, Zip Galveston, Tx. 77551

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☐ District Clerk to serve via certified mail return receipt requested

☒ Process Server
Call Attorney for pick up @ phone number
409-938-8044 (Evelyn Robison)

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid _____

Amount/Method of payment _____

Signature of attorney requesting issuance of service _____

**Service will not be issued without signature*

DISTRICT CLERK
GALVESTON COUNTY, TX.

09 NOV - 9 PM 3:36

11/10/09 ~ 11C TRO @ 800 PP@

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE

DATE OF REQUEST 11-9-09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

Case Number 09CV1729 in the 212th Court of Galveston County, Texas

Type of service requested – please check each type when requesting multiple service documents

☐ Citation (serves copy of Petition)

☐ Precept (serves copy of a hearing/show cause order or other document)

☒ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name Sally H. Priel

By serving, it's _____

Address 20 Adler Circle

City, State, Zip Galveston, TX. 77551

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☐ District Clerk to serve via certified mail return receipt requested

☒ Process Server
Call Attorney for pick up @ phone number
(409) 938-8044 (Evelyn Robison)

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid _____

Amount/Method of payment _____

Signature of attorney requesting issuance of service _____

**Service will not be issued without signature*

DISTRICT CLERK
GALVESTON COUNTY, TX.
[Signature]

09 NOV - 9 PM 3:36

11/10/09 m 11c Trw @ 8w AP (C)

STAPLE ON OUTSIDE OF FILE UNTIL SERVICE IS ISSUED

REQUEST FOR ISSUANCE OF SERVICE

DATE OF REQUEST 11-9-09

SERVICE WILL ONLY BE ISSUED UPON PAYMENT OF COST (each citation, precept or TRO \$8.00)

Case Number 09 CV 1729 in the 212th Court of Galveston County, Texas

Type of service requested – please check each type when requesting multiple service documents

☐ Citation (serves copy of Petition)

☐ Precept (serves copy of a hearing/show cause order or other document)

☒ Temporary Restraining Order/Temporary Injunction

Other – please specify _____

ISSUE SERVICE TO:

Name Eddie Janek

By serving, it's _____

Address 7908 Channelview Drive

City, State, Zip Galveston, TX. 77554

Upon completion of issuance I request that (check only one) the clerk to

☐ Send to the Galveston County Sheriff

☐ District Clerk to serve via certified mail return receipt requested

☒ Process server
Call Attorney for pick up @ phone number
(409) 938-8044 (Evelyn Robison)

☐ Mail to Attorney at address shown in the petition

☐ Send to the Galveston County Constable's office precinct # _____ located at address _____

Date fees paid _____

Amount/Method of payment _____

Signature of attorney requesting issuance of service _____

**Service will not be issued without signature*

DISTRICT CLERK
GALVESTON COUNTY, TX.

09 NOV -9 PM 3:36

11/10/09 ~ 11k TRO PP @ 8w (G)

objecting party at rate proceedings concluded by the Board August 24, 2009 and is otherwise entitled to maintain this action.

3. Petitioner Royal Caribbean Cruises Ltd. ("Royal Caribbean") is a Liberian corporation with offices in Miami, Florida. Royal Caribbean does business in Galveston County through its member line Royal Caribbean International. Royal Caribbean was an objecting party at rate proceedings concluded by the Board concluded August 24, 2009 and is otherwise entitled to maintain this action.

4. Petitioner Florida-Caribbean Cruise Association ("FCCA") is a non-profit trade organization of 15 member cruise lines with an office in Pembroke Pines, Florida. The FCCA was an objecting party at rate proceedings concluded by the Board August 24, 2009 and is otherwise entitled to maintain this action.

5. Respondent Board of Pilot Commissioners for Galveston County Ports is a body existing pursuant to Chapter 67 of the Texas Transportation Code. *See* TEX. TRANSP. CODE §67.011. The Board does not maintain a registered agent for service and, as a result, Petitioners have named the individual Commissioners as additional Respondents only in their capacities as Commissioners. A courtesy copy of this Petition will be served on the Texas Attorney General, whose office has been assisting the Board, at 300 West 15th Street, Austin, Texas 78701, Attn. Mr. James Crowson.

6. Respondent Vandy Anderson was at all times relevant to this matter the acting Chairman of the Board. Mr. Anderson is being sued in his representative capacity only. Mr. Anderson may be served at 6917 Weis Drive, Galveston, Texas 77551 or wherever he may be found.

7. Respondent James E. Toups was at all times relevant to this matter serving as a Commissioner of the Board. Mr. Toups is being sued in his representative capacity only. Mr. Toups may be served at 2022 Morning Lake Drive, League City, Texas 77573 or wherever he may be found.

8. Respondent Sally H. Prill was at all relevant times serving as a Commissioner of the Board. Ms. Prill is being sued in her representative capacity only. Ms. Prill may be served at 20 Adler Circle, Galveston, Texas 77551 or wherever she may be found.

9. Respondent Eddie Janek was at all relevant times serving as a Commissioner of the Board. Mr. Janek is being sued in his representative capacity only. Mr. Janek may be served at 7908 Channelview Drive, Galveston, Texas 77554 or wherever he may be found.

10. Respondent Diane Kerkhove was at all relevant times serving as a Commissioner of the Board. Ms. Kerkhove is being sued in her representative capacity only. Ms. Kerkhove may be served at 109 Royal Drive, League City, Texas 77573 or wherever she may be found.

C.
JURISDICTION AND VENUE

11. Jurisdiction and venue are proper in this Court pursuant to Texas Transportation Code §§67.022 and 67.067.

D.
BACKGROUND FACTS

12. On or about May 1, 2009, the Galveston County Pilots, organized as the Galveston-Texas City Pilots (the "Pilots"), filed their Application for Pilotage Rate

Change with the Board seeking, among other things, an increase in charges associated with the so-called "second pilot requirement." See the Pilots' Application for Rate Change (the "Application") at Paragraph XVI, page 8, attached hereto as Exhibit A and incorporated by reference for all purposes.

13. On May 19 and 20, 2009, the Board of Trustees of the Galveston Wharves (the "Port of Galveston"), the Texas City Terminal Railway Company (the "Port of Texas City"), the West Gulf Maritime Association (the "WGMA"), the FCCA, Carnival, and Royal Caribbean all filed objections to the Pilots' Application. True and correct copies of the various objections are attached hereto as Exhibit B and incorporated by reference for all purposes.

14. The Board set a hearing on the Pilots' Application as required by Texas Transportation Code §67.063.

15. Prior to the commencement of the hearing, the Pilots conceded that the "second pilot requirement" was not necessary for cruise ships with a length overall of 1025 feet or less. The Pilots entered into Memoranda of Understanding with both Royal Caribbean and Carnival which provided, among other things, that the parties would submit an agreed tariff to the Board effectively eliminating the second pilot requirement for all cruise ships then calling in Galveston. In exchange, Royal Caribbean and Carnival would withdraw their objections once the agreed tariff was approved by the Board. True and correct copies of the relevant Memoranda of Understanding are attached hereto as Exhibit C and incorporated by reference for all purposes.

16. Pursuant to their agreements, the Pilots, Carnival and Royal Caribbean submitted an agreed tariff to the Board on July 16, 2009, which was unanimously

accepted by the Board without objection. A true and correct copy of the "Agreed Tariff" modifying the second pilot requirement is attached hereto as Exhibit D and incorporated by reference for all purposes.

17. Based upon the Board's unanimous approval of the Agreed Tariff, Carnival and Royal Caribbean withdrew their objections to the Pilots' Application. The FCCA did not withdraw its objection as it was not a party to the Memoranda and its member lines remained in opposition to the Pilots' requested rate increase.

18. The Board continued the hearing for several days, during which the Pilots and other objectors presented their evidence. In addition to approving the Agreed Tariff, the Board ultimately voted to grant the Pilots a 5% increase in their tariff rates. However, unbeknownst to the objectors, the tariff rates were adjusted after the fact in an effort to achieve a desired "target revenue" increase, an approach not provided for by the Transportation Code.

19. The Board posted its order, which included the Agreed Tariff eliminating the second pilot requirement. True and correct copies of the Board's Notice and Order are attached hereto as Exhibit E and incorporated by reference for all purposes.

19. The Port of Galveston, Port of Texas City, and WGMA objected to the Board's Order, except with respect to the Agreed Tariff on the second pilot requirement. True and correct copies of the relevant objections are attached hereto as Exhibit F and incorporated by reference for all purposes.

20. After considering the objections and after further hearing, the Board issued yet another order, which again included the Agreed Tariff eliminating the second

pilot requirement. A true and correct copy of the Board's second Notice and Order are attached hereto as Exhibit G and incorporated by reference for all purposes.

21. Again, numerous parties objected to the proposed order, except with respect to the second pilot concession. True and correct copies of the relevant objections are attached hereto as Exhibit H and incorporated by reference for all purposes.

22. Apparently not content with the course of the proceedings, on August 24, 2009, the Pilots withdrew their Application.

23. Based upon the withdrawal, the Chairman of the Board, without calling for a vote or discussion, indicated that the Agreed Tariff eliminating the second pilot requirement would have no effect, notwithstanding the fact that the Agreed Tariff had been unanimously approved by the Board and the Board had taken absolutely no action whatsoever to vacate its prior order approving the Agreed Tariff.

E.
GROUND FOR JUDICIAL REVIEW

24. Petitioners file this Petition for Judicial Review asking that the District Court render judgment that the Agreed Tariff eliminating the second pilot requirement is valid and enforceable and that the second pilot requirement should be eliminated for cruise ships with LOA of 1025 feet or less. The Agreed Tariff eliminating the second pilot requirement was the sole item of agreement between the parties and the Board unanimously approved it without objection. The Board has prejudiced the rights of the Petitioners by its failure to act in a manner consistent with its own ruling and by its failure to comply with the Texas Transportation Code.

25. Additionally, evidence exists that the Board violated the Texas Open Meetings Act after the Agreed Tariff was unanimously approved by secretly meeting

with the Pilots in an apparent effort to craft tariff increases to account for revenues lost as a result of the Agreed Tariff. The Board sets rates, not revenues. Furthermore, the Board cannot delegate its rule making authority to third parties, particularly the Pilots over whom it is supposed to preside. The Board's actions in this regard violate Texas law and greatly undermine the public trust.

26. Additionally, the Board's actions are not reasonably supported by substantial evidence. Although the Pilots have maintained until quite recently that the second pilot requirement is necessary for safety, it is not a safety issue and is instead a simple money grab emboldened by a state-sanctioned monopoly. The Pilots' concession in the context of rate hearings, which are purely financial, confirms that safety is not a factor on this issue. Furthermore, vessel owners and operators are primarily responsible for the safety of their equipment, the environment, their personnel, and their passengers whereas, in contrast, the Pilots are insulated from liability by statute and are largely unaccountable for safety issues.

27. The Board's actions are also arbitrary, capricious and constitute an abuse of discretion. The Board cannot effectively vacate its order approving the Agreed Tariff without proper reconsideration, which was entirely lacking here. The Board's actions were undertaken without any appropriate guiding principles and were instead simply deferential to the dictates of the Pilots.

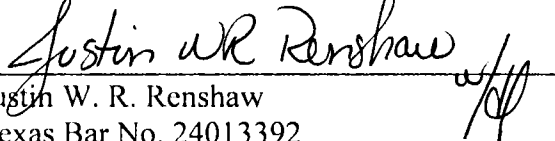
F. CONCLUSION

For the foregoing reasons, Petitioners Carnival Corporation, Royal Caribbean Cruises Ltd. and the Florida-Caribbean Cruise Association respectfully request that the Court, after review, enter an order that the Agreed Tariff is valid and enforceable, that the

second pilot requirement should be eliminated for cruise ships of 1025 feet LOA and less, and that the Board's inaction after the Pilots withdrew their Application constituted an abuse of discretion in violation of Texas law, wholly unsupported in the face of substantial evidence to the contrary. Petitioners further request such other relief, at law or in equity, to which they may be entitled.

Respectfully submitted,

FOWLER RODRIGUEZ VALDES-FAULI


Justin W. R. Renshaw
Texas Bar No. 24013392
1331 Lamar, Suite 1560
Houston, Texas 77010
Phone: 713-654-1560
Fax: 713-654-7930
jrenshaw@frvf-law.com

*Attorneys for Carnival Corporation,
Royal Caribbean Cruises, Ltd. and
The Florida-Caribbean Cruise Assoc.*